

# Employee Code of Conduct Policy

**NOTE:** Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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## 1. POLICY STATEMENT

South Burnett Regional Council ('Council') is committed to conducting its business with integrity, honesty and fairness and complies with all relevant laws, legislation, codes, and corporate standards.

The Employee Code of Conduct ('Code') is a set of standards and behaviours and puts responsibility on all Council employees to follow the ethics principles detailed in the *Public Sector Ethics Act 1994* and the local government principles detailed in the *Local Government Act 2009* and Council's corporate values.

## 2. SCOPE

This policy applies to all Council employees. (This policy may also apply to contractors if stipulated in their contract).

## 3. GENERAL INFORMATION

The Code aims to deliver best practice by ensuring service standards are clear and guided by sound ethics.

The Code does not cover every situation. The values, ethics, standards, and behaviours are a reference point to help make decisions in situations it does not directly identify. If a Council employee acts in good faith and in keeping with the Code, the Council employee can reasonably expect to be supported by management.

The Good Decisions Resource produced by the Queensland Ombudsman can assist Council employees in situations not covered by the Code.

### 3.1. Legislative Principles & Council Corporate Values

The *Local Government Act 2009* ('Act') sets out the way in which a local government is constituted and the nature and extent of its responsibilities and powers. The Act requires that Council's actions are consistent with the local government principles.

### 3.2. The First Principle: Integrity and Impartiality

#### 3.2.1. Ethics Value

Public service agencies, public sector entities and public officials seek to promote public confidence in the integrity of the public sector and:

- a) are committed to the highest ethical standards;

- b) accept and value their duty to provide advice, which is objective, independent, apolitical and impartial;
- c) show respect towards all persons, including employees, clients, and the general public;
- d) acknowledge the primacy of the public interest and undertake that any conflict of interest issue will be resolved or appropriately managed in favour of the public interest; and
- e) are committed to honest, fair, and respectful engagement with the community.

### **3.2.2. Conflict of Interest**

Council employees must refer to Council's Employee Conflict of Interest Policy – Statutory048 on requirements in relation to the disclosure of a perceived, potential, or actual conflict of interest.

### **3.2.3. Good Decisions**

The community expects Council will operate consistently and fairly and Council's suite of guidelines, policies and procedures ensure this can happen. Council employees must ensure that information is identified and considered when making good decisions and recognise the *Human Rights Act 2019* when making decisions whilst at work.

Council employees must not influence any person in an improper way with the aim to obtain personal advantage or favour. All decisions need to be, and be seen to be, fair and transparent. This includes good recordkeeping, and documenting how decisions were made. You must not in any way misrepresent your qualifications, experience or expertise in any recruitment and selection process.

Refer to the 'Good Decisions Guide' provided by the Queensland Ombudsman for further information about how to undertake good and ethical decisions and consider the 23 rights protected by the *Human Rights Act 2019*.

### **3.2.4. Gifts and Benefits**

Council employees must refer to Council's Gifts and Benefits Policy – Strategic002 on appropriate conduct in the event of offering or being offered a gift or benefit in the course of their official duties, or whilst representing Council.

### **3.2.5. Employment outside of Council (Secondary Employment)**

Where a Council employee is wishing to undertake secondary employment (i.e., paid, unpaid, voluntary or hobby) outside their work with Council an Application for secondary Employment must be made prior to commencement of the secondary employment. The application will be assessed to ensure that:

- a conflict of interest does not exist or could develop, between secondary employment and official duties;
- that the secondary employment has no effect on the performance of a Council employees official duties including considerations for the effects from workplace health and safety and fatigue management;
- that the secondary employment does not involve use of Council resources (physical, technological, or intellectual).

In accordance with the *Local Government Act 2009*, where a Council employee seeks to be employed by more than one local government at the same time, approval of each of the local governments is required prior to a Council employee being appointed to the second position.

Council will not unreasonably withhold permission for secondary employment but is not obligated to provide it where a conflict of interest may occur.

### **3.2.6. Media Relations and Public Comments on Council Business**

Council employees must refer to Council's Media Relations Policy – Strategic001 on the principles, protocols and methods for managing communication to ensure consistent, factual information is provided to the community through the media.

### **3.2.7. Acceptable Requests Guidelines**

Council employees must refer to Council's Acceptable Request Guidelines Policy – Statutory004 on

guidelines for Councillors about the way that they can ask for advice from Council employees in order to assist them in carrying out responsibilities under the *Local Government Act 2009*.

### **3.2.8. External Activities**

Council supports and is committed to ensuring Council employees are free to engage in trade union, party-political, professional, interest group or charity activities of their choosing. Council employees must make sure that participation in external activities does not cause a conflict of interest, and/or unduly restricts or interferes with the performance of official duties with Council.

Council employees are not to take part in political affairs whilst on duty. Council's Information Communication Technology ('ICT') systems, including internet access and email, Council newsletters and workplaces must not be used for political messages or circulating defamatory or disparaging remarks against individuals or groups.

If Council employees comment publicly on any social platform, newspaper, or other form of communications, in connection with external activities, Council employees must make a clear distinction between opinions as a member of the external organisation, as a Council employee.

Council employees must not use Council information or information gained in the course of your official duties as a Council employee, to advance your position or standing within an external organisation, nor for the benefit or promotion of an external organisation.

Council employees must not provide Council information to members of other groups or related persons, except where this information is publicly available.

As a member of an external organisation, Council employees need to be aware that participating in activities in the public arena, where you may be identified as a Council employee, can give a perception of a conflict of interest.

### **3.2.9. Behaviour Toward Each Other**

Council employees are expected to value trust and must treat each other with respect, honesty, fairness, sensitivity, and dignity. Council employees who supervise or manage other employees have an additional responsibility to model this kind of behaviour and ensure the Council employees they supervise understand the standard of performance and behaviour that is expected of them at work and when dealing with ratepayers and the public generally.

Council employees must not behave towards any other person in a way that could be perceived as intimidating, overbearing, or bullying, or that may constitute unwelcome conduct of a sexual nature.

Effective teamwork is an essential part of a productive workplace culture. Council employees are expected to work co-operatively with fellow Council employees and actively and willingly take part in team activities.

### **3.2.10. Non-Discriminatory Workplace**

Council employees must refer to Council's Anti-Discrimination & Equal Employment Opportunity Policy – Statutory037 on the responsibilities of employees and management in preventing and addressing discrimination in or associated with the workplace.

### **3.2.11. Sexual and other forms of Workplace Harassment**

Council employees must refer to Council's Anti-Discrimination & Equal Employment Opportunity Policy – Statutory037 on the responsibilities of employees and management in preventing and addressing discrimination in or associated with the workplace.

### **3.2.12. Domestic and Family Violence**

Council employees must refer to Council's Domestic and Family Violence Policy – Statutory052 on the responsibilities of Council and Council employees that are affected by domestic violence.

## **3.3. The Second Principal: Promoting the Public Good**

Public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public service agencies, public sector entities and public officials:



- accept and value their duty to be responsive to both the requirements of government and to the public interest;
- accept and value their duty to engage the community in developing and effecting official public sector priorities, policies, and decisions;
- accept and value their duty to manage public resources effectively, efficiently, and economically;
- value and seek to achieve excellence in service delivery;
- value and seek to achieve enhanced integration of services to better service clients.

### **3.3.1. Customer Service and Personal Presentation**

Council employees must refer to Council's Corporate and Field Uniform and Dress Policy – Administrative014 which establishes guidelines for the provision and mandatory wearing of Council's uniform, health and safety and general presentation standards.

### **3.3.2. Fairness to Suppliers**

Council employees must refer to Council's Procurement Policy Statutory007 which establishes the procurement principles to follow and apply to all procurement processes and activities undertaken by Council.

### **3.3.3. Public Money**

Council employees must refer to Council's Procurement Policy Statutory007 which establishes the procurement principles to follow and apply to all procurement processes and activities undertaken by Council.

### **3.3.4. Intellectual Property**

Council employees must ensure their actions do not breach or infringe the *Copyright Act 1968*, by unlawfully using the intellectual property of any individual or organisation (including Council).

Council employees must respect the copyrights, trademarks and patents of suppliers and other organisations outside Council which includes not reproducing or quoting suppliers' material unless your license specifically allows it.

Council employees must not store or copy audio, video, or image files, printed media, and software on Council assets without an appropriate license or approval. Where this is unclear Council employees must seek written approval from the CEO or delegate before arranging to publish, disclose or reproduce any articles or materials as part of official duties.

Any original work, invention, or product you have contributed to in association with a Council employee's official duties remains the property of Council. Council employees must not publish or disclose any matters relating to Council's intellectual property without appropriate authority. This does not prevent Council employees from sharing with other organisations information relating to your official duties. A Council employee must seek clarification from manager if unsure whether sharing with other organisations is a breach of the Code.

### **3.3.5. Concern for the Environment**

Council employees must refer to the *Environmental Protection Act 1994* to ensure that the general environmental duties are adhered to and where applicable the duty to notify of environmental harm.

## **3.4. The Third Principle: Commitment to the System of Government**

The Public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public service agencies, public sector entities and public officials.

### **3.4.1. Acting within the Law**

A Council employee is expected to comply with applicable legislation, awards, Agreements, Council policies and local laws.

Council employees have the right and responsibility to respectfully question how they do their work, particularly if they think there is an imminent risk to the safety of themselves or others, or there is a better way of doing something, or if they think a direction may be in breach of the law. When a

Council employee has recorded their suggestion or concern, they are required to work as directed by the team leader/supervisor/manager, except where there is an imminent risk to safety. If the matter cannot be resolved within the workgroup, it should be immediately referred to the manager.

If a Council employee is charged with having committed any indictable offence, are subject to an indictable offence conviction, or are subject to a summary conviction, they should report the circumstances to your manager immediately. All disclosures of will remain confidential.

#### **3.4.2. Delegations and Signing Documents on Behalf of Council**

Council employees may be requested to undertake an action on behalf of the CEO or delegate. Prior to exercising any power on behalf of the CEO Council employees must ensure an appropriate delegation pursuant to State or Federal legislation exists that allows the exercise the power.

#### **3.4.4. Fraud and Corruption**

Council employees must refer to Council's Fraud and Corruption Prevention Management Policy – Statutory021 to be aware of obligations and responsibilities regarding ethical conduct and the reporting of instances or suspected instances of fraudulent or corrupt activity.

#### **3.4.5. Information Privacy**

Council employees must refer to Council's Information Privacy Policy – Statutory038 to ensure that reasonable steps to protect the privacy of individuals by ensuring that the collection, use, disclosure and handling of personal information is in accordance with legislation.

### **3.5 The Fourth Principle: Accountability and Transparency**

Public trust in public office requires high standard of public administration, public service agencies, public sector entities and public officials.

#### **3.5.1. Using Council's Physical Assets**

Council employees must refer to Council's Computer, Internet and Email Usage Policy – Strategic007 and Motor Vehicle Procedure – Procedure014 to ensure that the use of Councils assets is utilised appropriately.

#### **3.5.2. Diligence, care, and attention**

Council employees are to by carry out duties honestly, responsibly, in a conscientious manner and to the best of your ability. This includes:

- being punctual and not being absent from your workstation/location during work time without reason;
- giving priority to official duties over personal activities (other than emergencies) during work time;
- helping Council achieve its mission and goals by acting to improve systems and practices;
- conducting yourself in a way so others gain confidence and trust in the way Council does business;
- not allowing your conduct to distract or prevent others from working (e.g., wasting time chatting about personal matters and interrupting other staff);
- advising your manager when you have spare capacity to take on additional duties; and
- not exposing Council to a judgment for damages against it, as a result of your negligence or breach of any law or policy.

If Council employees are responsible for managing or supervising others, you must ensure that:

- you model the values and principles outlined in this Code and ensure that employees within your area of responsibility understand and comply with the Code;
- you do not come under a financial obligation to any Council employee you supervise or manage;
- your work and the work of those you supervise contributes to the achievement of Council's vision;
- Council employee performance is monitored, and individuals are given constructive and regular feedback on their performance in line with policies and procedures;

- where practicable, Council employees are given training opportunities to assist them in developing their careers within Council;
- Council employees are provided with information that is vital for effective work performance;
- the opinions of Council employees are respected and considered;
- workloads are fairly distributed and reasonable work allocation is provided to ensure full work time occupancy;
- resourcing for a work team is neither excessive nor inadequate for the job;
- Council employees who collect, handle, or disburse public money are properly supervised;
- Council employee work times, overtime, allowances, and absences are correctly recorded on timesheets and pay summary reports; and
- appropriate action is taken if breaches of this Code occur.

### **3.5.3. Attendance at and Absence from Duty**

Council employees are expected to follow Council employment and working arrangements, agreements and adhere to reasonable expectations relating to attendance at work and leave. This includes not being absent without approval and accurately and truthfully recording work and leave periods.

Council employees have an obligation to ensure they promptly notify their supervisor/manager as soon as possible before expected start time upon becoming aware they are going to be absent from work. Failure to promptly notify Council may result in the non-payment of salary/wages for the period of absence and/or may result in Council taking disciplinary action.

### **3.5.4. Self-Development**

Council employees must refer to Council's Learning and Development Policy – Strategic013 that provides guidelines on Council's commitment to the learning and development of its employees, in relation to training, educational assistance and professional development.

### **3.5.5. Workplace Health and Safety**

Council employees will commit to a culture of zero harm in the way Council conducts business and activities. Council will endeavour to ensure that persons are free from:

- death, injury, or illness caused by the workplace, relevant workplace area, work activities, or plant or substances for use at work; and
- the risk of death, injury or illness caused by the workplace, relevant workplace area, work activities, or plant or substances for use at work.

Council employees must take reasonable steps to ensure own safety, health and welfare in the workplace as well as have a duty of care to fellow employees and members of the public. Council employees have obligations to comply with in relation to Workplace Health and Safety, which includes complying to the Workplace Health and Safety Policy – Statutory015 and all associated policies, procedures, guidelines, manuals, and safe work method statements.

### **3.6. Breaches of the Code**

Council expects all Council employees whilst engaged in Council duties to ensure they demonstrate the basic standards of acceptable conduct as stated in this Code. All Council employees have the responsibility to comply with this Code of Conduct and all other policies which Council implements and/or varies from time to time.

Any act or lack of action by a Council employee that contravenes this Code may result in Council taking disciplinary action against that Council employee, up to and including dismissal. All suspected breaches will be dealt with on a case-by-case basis.

In cases where a suspected breach of this Code is under investigation, and if the CEO deems it appropriate, any employee suspected of a breach of this Code may be suspended from duty on full pay until the investigation has been completed.



### 3.7. Information about Employee Conduct

Council employees have the right to make a Public Interest Disclosure to a proper authority subject to, and in accordance with, the *Public Interest Disclosure Act 2010* and Council's Public Interest Disclosure Policy, where a Council employee believes on reasonable grounds that they possess information about another Council employee's conduct that relates to:

- official misconduct; or
- maladministration; or
- a substantial misuse of public resources, other than an alleged misuse based on mere disagreement over policy that may properly be adopted about amounts, purposes, or priorities of expenditure; or
- a substantial and specific danger to public health or safety; or
- a substantial and specific danger to the environment.

## 4. DEFINITIONS

**Conflict of Interest** means a conflict between a Council employee's duties and responsibilities and the Council employee's private interests. Conflicts can be actual, perceived or potential depending on the circumstances. A conflict of interest can arise from avoiding personal losses as well as gaining personal advantage – whether financial or otherwise.

**Council employee** means a person employed by Council who performs work, under the direction and control of Council, on an ongoing basis with an ongoing expectation of work entitled to superannuation contributions paid by Council.

**Maladministration** means administrative action that was taken contrary to the law, was unreasonable, unjust, oppressive, or improperly discriminatory, or was in accordance with a rule of law or a provision of an Act or a practice that is or may be unreasonable, unjust, oppressive, or improperly discriminatory in the particular circumstances, or was taken for an improper purpose, or on irrelevant grounds, or having regard to irrelevant considerations, or was an action for which reasons should have been given, but were not given, or was based wholly or partly on a mistake of law or fact, or was wrong.

**Official Misconduct** means conduct that could, if proved be a criminal offence, or a disciplinary breach providing reasonable grounds for terminating a Council employee.

## 5. LEGISLATIVE REFERENCE

*Anti-Discrimination Act 1991* (Qld)

*Crime and Corruption Act 2001* (Qld)

*Environmental Protection Act 1994* (Qld)

*Information Privacy Act 2009* (Qld)

*Local Government Act 2009* (Qld)

*Local Government Regulation 2012* (Qld)

*Public Interest Disclosure Act 2010* (Qld)

*Public Sector Ethics Act 1994* (Qld)

*Work Health and Safety Act 2011* (Qld)

## 6. RELATED DOCUMENTS

Queensland Ombudsman "Good Decisions Resource"

South Burnett Regional Council Acceptable Requests Guidelines Policy – Statutory004

South Burnett Regional Council Anti-Discrimination and EEO Policy – Statutory053

South Burnett Regional Council Complaint and Grievance Procedure – Procedure057

South Burnett Regional Council Computer, Internet, and Email Usage Policy – Strategic007

South Burnett Regional Council Corporate and Field Uniform and Dress Policy – Administrative014

South Burnett Regional Council Discipline Procedure – Procedure009

South Burnett Regional Council Drug and Alcohol Policy – Administrative004  
 South Burnett Regional Council Employee Discipline Procedure – Procedure009  
 South Burnett Regional Council Fitness for Work Policy – Strategic018  
 South Burnett Regional Council Gifts and Benefits Policy – Strategic002  
 South Burnett Regional Council Information Privacy Policy – Statutory038  
 South Burnett Regional Council Learning and Development Guidelines – Procedure005  
 South Burnett Regional Council Media Relations Policy – Strategic001  
 South Burnett Regional Council Procurement Policy – Statutory007  
 South Burnett Regional Council Psychological Health, Safety and Wellbeing Procedure – Procedure135  
 South Burnett Regional Council Workplace Health and Safety Policy – Statutory015

## 7. NEXT REVIEW

As prescribed by legislation or April 2026.

## 8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development of Policy	23 September 2004	170919
2	Review of Policy	11 November 2009	792528
3	Review of Policy	25 August 2010	911890
4	Review of Policy	19 February 2013	1112607
5	Review of Policy – Resolution 2021/97	25 August 2021	1112607
6	Administrative amendment – organisational structure review – resolution 2022/432	27 April 2022	1112607
7	Review of Policy	15 May 2024	1112607

  
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 CHIEF EXECUTIVE OFFICER

Date: 15 May 2024